N IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19239 of 2004

Between:

1 Patcha Vengaiah, S/o.Pullaiah,
R/o.Gundemadakala village, Vinjamur Mandal, Nellore Dist.
2 Karanam Sreenu, s/o.Venkatapathi,
R/o.Gundemadakala village, Vinjamur Mandal, Nellore Dist.
3 Kumku Thirupalu, S/o.Kondaiah,
R/o.Gundemadakala village, Vinjamur Mandal, Nellore Dist.

...PETITIONERS

AND

1. The Circle Inspector of Police, Kaligiri Circle, Nellore District.
2. The Station House Officer, Vinjamur Police Station, Nellore District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order of direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not allowing the petitioners to proceed with the cultivation of their respective Agricultural Lands situated at Gundemadakala village is arbitrary, unreasonable and consequently direct the respondents not to interfere with their peaceful possession and enjoyment of their respective lands to an extent of Ac.4.99 cents in Sy.No.119, 199/3, Ac.4.90 cents in Sy.No.616 and Ac.4.99 cents in sy.No.119/2 situated in Gundemadakala village,

Vinjamur Mandal, Nellore district, and till then the respondents are further directed not to dispossess the petitioners from their respective lands.

Counsel for the Petitioners: MR.T.S.N.SUDHAKAR

Counsel for the Respondents: GP FOR HOME

The Court made the following:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19239 of 2004

ORDER:

The petitioners seek a writ of Mandamus directing the respondents not to interfere with the peaceful possession of their respective lands to an extent of Acs.4.99 cents in Survey Nos.119 and 119/3, Acs.4.90 cents in Survey No.616 and Acs.4.99 cents in Survey No.119/2 situated in Gundemadakala village, Vinjamur Mandal of Nellore District.

Having heard the learned counsel for the petitioners and learned Government Pleader appearing for the respondents, without expressing any opinion on merits, particularly with regard to the entitlements of the petitioners to continue in possession of the lands in question, the Writ Petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners in respect of the lands in question, without following due process of law.

The Writ Petition is accordingly disposed of. No costs.

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(G.ROHINI, J)

14th October 2004

Note: CC by tomorrow

B/O

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Circle Inspector of Police, Kaligiri Circle, Nellore District.
2. The Station House Officer, Vinjamur Police Station, Nellore District.
3. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).
4. Two CD copies.